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## Attorney for James McMillan

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**UNITED STATES OF AMERICA,**

Plaintiff,

V.

JAMES MCMILLAN,

**Defendant.**

Case No. 2:17-cr-080-APG-CWH

**STIPULATION TO CONTINUE  
SENTENCING HEARING  
(Second Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between Steven W. Myhre, Acting United States Attorney, and John Patrick Burns, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defender, and Brian Pugh, Assistant Federal Public Defender, counsel for James McMillan, that the Sentencing Hearing currently scheduled on Thursday, November 30, 2017, be vacated and continued to a date and time convenient to the Court, but no sooner than sixty (60) days.

This Stipulation is entered into for the following reasons:

1. Mr. McMillan has been unable to schedule a Pre-Sentence Investigation Report (“PSR”) interview with U.S. Probation (“USPO”). Mr. McMillan lives in Idaho and is a long-

1 haul trucker who spends three to four weeks on the road. Defendant needs additional time to  
2 arrange a PSR interview and USPO needs additional time to prepare its PSR.

3       2. The defendant is not in custody and agrees with the need for the continuance.

4       3. The parties agree to the continuance.

5 This is the second request for a continuance of the sentencing hearing.

6 DATED this 27th day of September, 2017.

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8 RENE L. VALLADARES  
Federal Public Defender

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STEVEN W. MYHRE  
Acting United States Attorney

10     */s/ Brian Pugh*  
11 By \_\_\_\_\_  
12 BRIAN PUGH  
Assistant Federal Public Defender

13     */s/ John Patrick Burns*  
14 By \_\_\_\_\_  
15 JOHN PATRICK BURNS  
16 Assistant United States Attorney

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Case No. 2:17-cr-00080-APG-CWH

Plaintiff,

V.

JAMES MCMILLAN,

## ORDER

## Defendant.

Defendant.

IT IS THEREFORE ORDERED that the sentencing hearing currently scheduled for Thursday, November 30, 2017 at 9:00 a.m., be vacated and continued to February 1, 2018 at the hour of 9:00 a.m.

DATED this 28th day of September, 2017.

**UNITED STATES DISTRICT JUDGE**